Supreme Court, U.S.
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No. 05-

IN THE

Supreme Court of the United States

JOHN ROBERT PAPE and
MARC ANDREW CHANDLER,

Petitioners,

v.

THE FLORIDA BAR,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
SUPREME COURT OF FLORIDA

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

Does it violate the First Amendment for a state to discipline attorneys who included the image of a "pit-bull" dog and the phone number 1-800-PITBULL in their advertising, when the disciplinary action was imposed without applying the *Central Hudson* commercial speech standard, and without any empirical data or other supporting evidence to justify the advertising prohibition, but was rather based solely on the grounds that such advertising is "demeaning to the profession" and "demeaning to our system of justice" and "inherently misleading?"

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I. There Is Conflict Among Lower Courts And Bar Regulators Nationwide Over Whether Standard Advertising Devices That Extend Beyond The Conveying Of Straightforward Factual Information May Be Banned In Lawyer Advertising On The Rationales That Such Devices Are Demeaning To The Profession And Are Inherently Misleading; It Is In The Best Interest Of The Profession And The Public For This Court To Address And Resolve The Substantial First Amendment Issues Posed By This Conflict. 6

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